

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-219132
MATTER OF: Sermor Inc.

DATE: June 28, 1985

DIGEST:

Protest against contract award filed more than 10 working days (plus reasonable delivery time) after agency sent notice of award to protester is untimely under GAO Bid Protest Regulations.

Sermor Inc. (Sermor) protests the award of a contract under solicitation No. DAAA09-84-B-0985, issued by the United States Army Armament, Munitions and Chemical Command, Rock Island, Illinois (Army), for brake assemblies. Sermor contends that, as the lowest responsive and responsible bidder, it should have been awarded the contract.

The Army states that notice of the contract award to Triple E Manufacturing was mailed to Sermor on May 17, 1985. Assuming receipt of the notice within a reasonable time (1 week), or by May 24, 1985, Sermor's protest should have been filed with our Office by June 7, 1985, within 10 days of receipt of the notice as required by GAO Bid Protest Regulations. 4 C.F.R. § 21.2(a)(2) (1985). Edward H. Brumfield, B-216928, Nov. 5, 1984, 84-2 CPD ¶ 502. Sermor's protest was mailed on June 7, 1985, and received by our Office on June 13, 1985. It therefore is dismissed as untimely.

A handwritten signature in black ink, appearing to read "Robert M. Strong".

Robert M. Strong
Deputy Associate General Counsel

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